



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 589

Hearing Date: February 6, 2001

Committee On: Agriculture

Introducers: (Dierks)

Title: Change provisions of the Livestock Brand Act

Roll Call Vote – Final Committee Action:

- X Advanced to General File
- Advanced to General File with Amendments
- Indefinitely Postponed

Vote Results:

- | | |
|-------------------------|---|
| 6 Yes | Senators Burling, Chambers, Cunningham, Dierks, Schimek,
Schrock |
| 0 No | |
| 0 Present, not voting | |
| 2 Absent | Senators McDonald, Vrtiska |

Proponents:

Rick Leonard, Research Analyst
Steve Stanec
Greg Ruehle

Representing:

Agriculture Committee
Nebraska Brand Committee
Nebraska Cattlemen

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 589 delegates authority to the Nebraska Brand Committee to approve additional methods of applying livestock ownership brands, delegates greater authority for determining fees by replacing various statutorily prescribed fees with a statutory cap, and grants additional options for publication of the Nebraska Brand Book.

- Amends 54-193 to authorize the Brand Committee to have the brand book published in electronic medium. State law currently requires the book to be published in book form. This would allow the committee to publish a compilation of recorded brands on CD, disk, web page or other medium that may be cheaper than having books printed.
- Amends 54-198 to add a definition of a livestock brand to mean a unique symbol or combination of symbols utilized as a visible means of identification and other methods of livestock identification approved by the Nebraska Brand Committee. The section is further amended to add authority for the Brand Committee to approve additional means of brand application beyond freeze branding and hot iron currently recognized in statute
- Amends 54-198 to provide that existing brand recording procedures apply to visual brand recording. New subsection (4) would authorize the Brand Committee to approve by rule and regulation the recording and use of non-visual means (i.e. electronic i.d.) as a livestock brand for purposes of the Nebraska Brand Law. The following specific criteria are specified before the Brand Committee may approve a non-visual method of livestock branding:
 - finding that the method is at least as good as visual means of livestock identification;
 - the brand committee shall consider the susceptibility to error and fraudulent alteration; and
 - requirement of public hearing.

The section also allows the Brand Committee to approve other visual means of branding as they may become perfected and desired by the industry.

- Various statutorily prescribed fees for the recording, renewal, transfer and reinstatement of livestock brands are replaced with a statutory maximum. Setting of actual fees would be left to rule and regulation of the Brand Committee. Comparison of fees between current law and as established by LB 589 –

Fee / (section)	Current Fee Schedule	Revised Fee Schedule
Brand Recording (54-199)	\$25 first location + \$15 each additional location – Fixed by statute	Fee schedule determined by number of locations and methods of application requested. Actual fee fixed by Brand Committee but total fee for any application may not exceed \$100
Expired Brand Renewal (54-1,102(4))	\$25 first location + \$15 each additional location. Additional \$5 surcharge added for each month brand renewal is past due	Same as fee for initial recording in 54-199 plus additional \$5 surcharge added for each month brand renewal is past due
Brand Renewal (54-1,102(3))	\$25 – Fixed by statute	Max. of \$50 - Fixed by Brand Committee

Brand Inspection Fee (54-1,108)	Uniform Fee. Max. of 65 cents/hd. Fixed by Brand Committee	Max. of 65 cents/hd. Fixed by Brand Committee. Committee may adopt fee schedule that provides for lesser fee for more cost effective inspections. Otherwise uniform
Grazing Permit (54-1,110)	\$10	Max of \$15 - Fixed by Brand Committee

Explanation of amendments, if any:

Senator Merton L. Dierks, Chairperson